

SO ORDERED. The Clerk of Court is directed to close ECF 275.



Arun Subramanian, U.S.D.J.

Date: November 6, 2023

**VIA ECF**

Hon. Arun Subramanian  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl St. New York,  
NY 10007-1312

RE: *Wenger S.A. v. Olivet International, Inc., et al. - Case No. 1:20-cv-1107(LGS)*  
**Letter Motion To File Under Seal.**

Dear Judge Subramanian:

Pursuant to Your Honor's Individual Rules and Procedures For Civil Cases, Rule 11 B. and C., Standing Order 19- MC-583 and Section 6 of the ECF Rules & Instructions, Plaintiff Wenger S.A. ("Wenger") hereby respectfully seeks **leave to file under the seal documents Wenger is filing in connection with opposition to defendant Olivet International Inc.'s ("Olivet")'s motion for partial summary judgment (the "Proposed Sealed Documents")**. The Proposed Sealed Documents are designated under the Protective Order entered in this action on July 31, 2020, as "Confidential" or "Highly Confidential" by plaintiff Wenger, defendant Olivet, co-defendant SwissTech IP Co. LLC, and third-party Walmart. Information from these Confidential and Highly Confidential documents include financial disclosures, sales/advertising numbers, income statements, confidential emails regarding brand designs, trade secrets and other sensitive business information.

On October 31, 2023, Plaintiffs conferred with Olivet and third parties seeking confidential treatment of their information in an effort to narrowly tailor the scope of the request. Defendant and involved non-parties identified the following exhibits: Ex. 3, Ex. 4, Ex. 6, Ex. 11, Ex. 35, Ex. 36, Ex. 37, Ex. 38, Ex. 39, Ex. 40, Ex. 41, Ex. 42, Ex. 43, Ex. 44, Ex. 45, Ex. 46, Ex. 47 and asked us to file them under seal due to sensitive business info. A List of Exhibits determined to be sensitive confidential and highly confidential information is set forth in Exhibit A to this letter.

Please note that in an effort to narrowly tailor the information that is subject to a Protective Order but being mindful to avoid unduly burdensome redactions, Plaintiffs carefully selected only those documents that contain sensitive confidential information and request this Court to seal them in their entirety. In addition, to avoid burdensome redactions of deposition transcripts, Plaintiffs selected only relevant excerpts of deposition transcripts as exhibits and request this Court to seal those excerpts in their entirety. The remainder of the cited exhibits, such as public court filings, examples of the public marketing materials, social media excerpts and Plaintiffs non-sensitive information in line with the Your Honor's Individual Rules will be submitted as public documents.

Respectfully submitted,

RIMON, P.C.

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cc: All parties via Notice of Electronic Filing by ECF